

Declaratory Resolution

No. 253

condemning a right-of-way
for sewer purposes through
Rockhill Heirs Add. & Wayne Heights et
Ct approved Dec. 19th 1912

Hearing Jan. 9th 1913

Resol. confirmed Jan. 9th 1913

Assessment Roll approved Dec. 26th 1913

Hearing Feb. 12th 1914

Assessment Roll of B. & D.

confirmed Feb. 12th 1914

Department of Public Works,)
Office of the Board,)
Room 2 City Hall,)

DECLARATORY RESOLUTION NO. 253-1912.

For the condemning of a right-of-way for sewer purposes across, through and under the East 180 feet of Block No. 5 Rockhill Heirs Addition; Block No. 1 Rockhill Heirs Addition; lots numbers 1 and 34 C. S. & W. B. Bash's Addition; Lot No. 11, Block A, Wayne Heights Addition; South part of Ewing's Out Lot number 20; lots numbers 29-30-39-40 and 41 Feeder Addition; lots numbers 2 and 37 Dreier and Williams Addition; west part of vacated Bank Addition; Ewing's Out Lot No. 21 and tract of land in the Southeast corner of the Northwest 1/4 Section 3 Township 30 North, Range 12, East.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, That it is desired and deemed necessary and advisable to condemn a right-of-way for sewer purposes across, through and under —

1st A strip of land 10 feet wide and 180 feet long, being the south 10 feet of the north 151 feet of the east 180 feet of Block No. 5 Rockhill Heirs Addition.

2nd A strip of land 10 feet wide and 475 feet long, being the south 10 feet of the north 151 feet of Block No. 1, Rockhill Heirs Addition.

3rd A strip of land 10 feet wide and 150 feet long, being the east 10 feet of Lot No. 1, C. S. & W. B. Bash's Addition.

4th A strip of land 10 feet wide and 145 feet long, being the west 10 feet of Lot No. 34, C. S. & W. B. Bash's Addition.

5th A strip of land 10 feet wide, being the south 10 feet of the north 341 feet of the south part of Ewing's Out Lot No. 20.

6th A triangular piece of land in the southwest corner of Lot No. 11, Block A, Wayne Heights Addition, and further described as follows:— Beginning at a point in the west line of the said lot No. 11, 10 feet north of the southwest corner; thence south along the said west line to the south line of said lot; thence east along the south line of said lot, a distance of 10 feet; thence northwest in a straight line to the place of beginning.

7th A triangular piece of land in the northwest corner of the south part of Ewing's Out Lot No. 20 and further described as follows:- Beginning at a point in the north line of said south part of Ewing's Out Lot No. 20, 10 feet west of the northwest corner; thence east along said north line to the east line of said lot; thence south along the east line of said lot, a distance of 10 feet; thence northwest in a straight line to the place of beginning.

8th A strip of land 10 feet wide across lots 40 and 39 of Feeder Addition, and across the vacated part of Bank Addition, from the northerly line of said lot No. 40 to a point 5 feet south of the center line, extended eastwardly, of the first alley south of Richardson Street; said point being 157 feet more or less, north of the east and west center line of Section 3, Township 30 North, Range 12 East. The west line of said strip of land being the dividing line between Ewing's Out Lot No. 21 and the vacated part of Bank Addition, and said dividing line extended northwardly, to the southeast corner of Ewing's Out Lot 20.

Also a strip of land 10 feet wide, five feet on each side of the center line extended eastwardly, of the first alley south of Richardson Street, from the east line of Ewing's Out Lot 21, across said out lot and across the land of H. C. Rockhill in the southeast corner of the northwest $\frac{1}{4}$ of Section 3, Township 30 North, Range 12 East, and across lot No. 41 Feeder Addition, to the dividing line between said lot 41 and Block 24 of Rockhill Heirs Addition.

Also a strip of land 10 feet wide, lying within lot 41 Feeder Addition, and land belonging to the New York, Chicago and St. Louis Railroad; extended^{ing} from the south line of the last described strip of land, in a southwesterly direction to the southeast corner of block 24, Rockhill Heirs Addition; the westerly line of said strip being the easterly line of Block 24 Rockhill Heirs Addition.

9th A strip of land 10 feet wide, being the south 10 feet of lot No. 2 of Dreier and Williams Addition. Also a strip of land 10 feet wide across lot No. 37 Dreier and Williams Addition, and across lots numbers 30 and 29 Feeder Addition, said strip of land being five feet on each side of the center line extended eastwardly, of the first alley south of Third Street, as platted in C. S. and W. B. Bash's Addition.

All of the above described land lies within the north $\frac{1}{2}$ of Section 3 Township 30 North, Range 12 East and within the City of Fort Wayne, County of Allen, State of Indiana.

All as shown by a plan of such proposed condemnation of a right-of-way for sewer purposes as above described now on file in the Department of Public Works of said City.

The property which may be injuriously or beneficially affected by the condemnation of the above described rights-of-way for sewer purposes is described as all lots and lands, not occupied by streets or alleys, lying East of ^{the} Grand Rapids and Indiana Railway; south of Spring Street; west of Franklin Avenue, from Spring Street to Third Street; west of the alley west of St. Mary's Avenue, from Third Street to Sinclair Street; west of Leora Street from Sinclair Street to High Street; west of DeGroff Street from High Street to ^{the} Lake Shore & Michigan Southern Railway; north of ^{the} Lake Shore & Michigan Southern Railway and ^{the} New York, Chicago and St. Louis Railroad.

Adopted this 19th day of December 1912.

Frank T. Broy
H. J. Henneghan
E. J. Lundy

Board of Public Works.

Attest: H. W. Becker

Clerk.

THIS INDENTURE, WITNESSETH: That Arnold G. W. Curdes,
~~heretofore~~ ^(~~\$~~10.00) in consideration of the payment to them of ~~xxx~~ ten
dollar ~~(~~\$~~1000)~~ and the City binding itself to make a tap in said
sewer at the disposition of the owner of said lot, hereby sell,
transfer, grant and give to said City of Fort Wayne the right, per-
mission and authority to construct or cause to be constructed a sew-
er over and across the South 3 feet of Lot No 2 Prior & Williams
TO THE City of Fort Wayne, Allen County, Indiana, said sewer to *Addition*
be constructed under Declaratory Resolution No. 253 of the Board
of Public Works of said City. Permission, authority and right
is also given by the grantors to said city to maintain said sewer
on said portion of said lot and to enter said real estate for the
purpose of constructing or causing to be constructed, and for the
purpose of maintaining, repairing and cleaning said sewer.

WITNESS our hands and seals this 11th day of October, 1913.

Arnold G. W. Curdes.

STATE OF INDIANA,
ALLEN COUNTY, Sct.

Personally appeared before me the undersigned, a Notary
Public in and for said County Arnold G. W. Curdes, ---,
and acknowledged the execution of the above and foregoing easement
this 11th day of October 1913.

Louis F. Curdes

Notary Public, Allen County, Indiana

THIS INDENTURE, WITNESSETH: That Fred W. Wellmeier and
Elsie M. Wellmeier, his Wife,
~~her husband~~, in consideration of the payment to them of one
dollar (\$1.00) and the City binding itself to make a tap in said
sewer ^{during construction} at the disposition of the owner of said lot, hereby sell,
transfer, grant and give to said City of Fort Wayne the right, per-
mission and authority to construct or cause to be constructed a sew-
er over and across the North 3 ft of Lot No 3 Oliver & Williams Addition
TO THE City of Fort Wayne, Allen County, Indiana, said sewer to
be constructed under Declaratory Resolution No. 253 of the Board
of Public Works of said City. Permission, authority and right
is also given by the grantors to said city to maintain said sewer
on said portion of said lot and to enter said real estate for the
purpose of constructing or causing to be constructed, and for the
purpose of maintaining, repairing and cleaning said sewer.

WITNESS our hands and seals this 10. day of Oct., 1913.

Fred. William Wellmeier
Elsie May Wellmeier

STATE OF INDIANA,
ALLEN COUNTY, Sct.

Personally appeared before me the undersigned, a Notary
Public in and for said County Fred W. & Elsie M. Wellmeier,
and acknowledged the execution of the above and foregoing easement
this 10. day of October 1913.

Louis F. Curdes

Notary Public, Allen County, Indiana





